

House Unit Seeks Data On Government Wiretaps

Associated Press

An attorney for a House subcommittee told a federal appeals court yesterday that the President must not be allowed to keep telephone company wiretap records secret.

"The mere possibility of some future disclosure of information to the public pales in comparison to the risk of giving the President the power he seeks," said Barrett Prettyman, arguing for a House Commerce subcommittee that subpoenaed wiretap records from the American Telephone & Telegraph Corp.

If the court rules that the President has such power, that would prevent congressional committees from gaining the information they need to carry out legitimate legislative duties, he argued.

The U.S. Court of Appeals for the District of Columbia heard arguments from Prettyman and Asst. Atty. Gen. Rex Lee, representing the Justice Department.

The subcommittee, headed by Rep. John Moss, (D-Calif.), appealed a U.S. District Court decision granting the government an injunction prohibiting the telephone company from complying with the subpoena.

The government went to court to prevent the company from turning

over the records on grounds that disclosure of the information to the subcommittee would endanger national security.

The subcommittee seeks letters sent by the FBI to the telephone company since 1966 requesting company assistance in carrying out wiretaps.

Prettyman told the judges that committee members need the letters to determine whether the government is conducting illegal domestic wiretaps without court warrants or under the guise of foreign intelligence-gathering taps, which are permissible without warrants.

Lee told the court that President Ford had been willing to accept a compromise, which would have provided the dates of the FBI letters to the committee. The President's proposal also would have allowed three committee staff members to review censored copies of the memoranda supporting a random sample of the wiretaps.

The committee staff members, however, would not have been allowed to know the names of the wiretap targets and many details of their activities. He said this proposal actually would have provided the committee with more information than the letters sought in the subpoena.